

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: EMILE LORIA ET AL. Docket No.: 01-346

Serial No.: 09/867,159 Examiner :

Filed : May 29, 2001 Art Unit :

For : ANTI-ALLERGIC PHARMACEUTICAL
COMPOSITION CONTAINING AT LEAST
ONE ALLERGEN AND AT LEAST ONE
ANTIHISTAMINE COMPOUND

6

900 Chapel Street
Suite 1201
New Haven, CT 06510-2802RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS

Hon. Commissioner of Patents and Trademarks
United States Patent & Trademark Office
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice to Comply with
Requirement for Patent Applications containing Nucleotide
Sequence and/or Amino Acid Sequence Disclosures mailed April
22, 2002.

R E M A R K S

A review of the file of the above-captioned application
shows that a sequence listing in computer readable form
(diskette) was filed with the original application.
Appended hereto is a copy of the postcard listing the
diskette containing the sequence listing and acknowledging
receipt by the U.S. Patent and Trademark Office on May 29,

2001. It appears that the diskette which was filed has become separated from the application papers. Thus, enclosed herewith is a duplicate copy of the diskette containing the original sequence listing.

Applicants hereby state that the content of the sequence listing information recorded in computer readable form on the attached diskette is identical to the sequence listing information on the originally filed application and thus contains no new matter.

Should the Examiner need additional information, he/she is invited to contact Applicants' attorney at the telephone number listed below.

No fee is believed to be due as a result of this response. Should the Commissioner determine that a fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231

on June 17, 2002
(Date of Deposit)

Nicole Motzer

Name and Reg. No. of Attorney

Nicole Motzer

Signature

June 17, 2002
Date of Signature

Respectfully submitted,

EMILE LORIA ET AL.

By Barry L. Kelmachter
Barry L. Kelmachter
Attorney for Applicants

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Telephone: 777-6628-ext. 114
Telefax : 865-0297

Date: June 17, 2002

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DOCKET NO. 01-346

SERIAL NO.

The date stamp of the Patent Office herein may be considered as the date on which papers indicated below were received.

New Application

Notice of Appeal

Assignment

Final Fee

Drawing

Power of Att.

Resp. to O.A.

Check

Con. Doc.

.....appl. cover sheet, fee transmittal sheet, cfr sequence listing (disk)
(Patent Office. Please stamp and return to addressee on reverse side.)

NO. 9012 Bloomberg Excelsior N.Y.C. 10013

LORIA ET AL.

VIA EXPRESS MAIL

5-29-01

#EL394336976US

JC872 U.S. PTO
09/867159
05/29/01



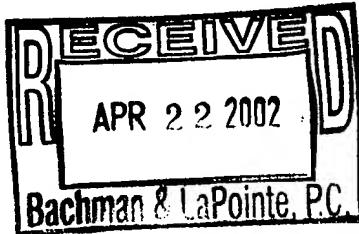
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/867,159	05/29/2001	Emile Loria	01-346

Gregory P. La Pointe
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CONFIRMATION NO. 5964
FORMALITIES LETTER



OC000000007920102

Date Mailed: 04/22/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Ab

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE